



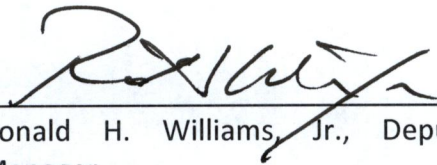
To the Honorable Council  
City of Norfolk, Virginia

April 28, 2015

From: David Ricks, Director of Public Works

**Subject:** Encroach into the right-of-way of W. 21<sup>st</sup> Street, Llewellyn Avenue and a Service Alley at 301 W. 21<sup>st</sup> Street with roof overhang, building, canopy, signage and lighting.

Reviewed:

  
\_\_\_\_\_  
Ronald H. Williams, Jr., Deputy City Manager

**Ward/Superward:** 2/6

Approved:

  
\_\_\_\_\_  
Marcus D. Jones, City Manager

**Item Number:**

**R-2**

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** The Palace Shops South, LLC  
301 W. 21<sup>st</sup> Street  
Norfolk, Virginia 23517

III. **Description**

This agenda item is an encroachment permitting The Palace Shops South, LLC to encroach into the right-of-way of W. 21<sup>st</sup> Street Llewellyn Avenue and a Service Alley at 301 W. 21<sup>st</sup> Street with roof overhang, building, canopy, signage and lighting.

IV. **Analysis**

An encroachment is an object or structure that infringes into the City of Norfolk's rights-of-way or property. Norfolk City Code, Section 42-10, requires all encroachments into the rights-of-way to be approved by City Council. This encroachment in this location will allow The Palace Shops South, LLC to modify the façade of their building located at 301 W. 21<sup>st</sup> Street.

**V. Financial Impact**

Liability insurance has been provided naming the City of Norfolk as additional insured in the amount of \$1,000,000; therefore, there should be no financial risk to the City. The City of Norfolk did not charge a fee for this encroachment.

**VI. Environmental**

There is no negative environmental impact associated with this action.

**VII. Community Outreach/Notification**

Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

**VIII. Board/Commission Action**

The Department of Public Works and the City Attorney's Office have reviewed this request for encroachment and offer no objections. The encroachment was reviewed and recommended by the Architectural Review Board and the City Planning Commission.

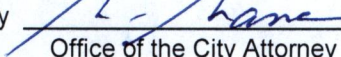
**IX. Coordination/Outreach**

This letter has been coordinated with Department of Public Works, the Department of Planning and Community Development, and the City Attorney's Office.

Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit A (6 sheets)

Form and Correctness Approved:

By   
Office of the City Attorney

  
Contents Approved:

By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE PERMITTING THE PALACE SHOPS SOUTH, LLC, TO ENCROACH INTO THE RIGHT OF WAY OF WEST 21<sup>ST</sup> STREET, LLEWELLYN AVENUE AND A SERVICE ALLEY AT 301 WEST 21<sup>ST</sup> STREET WITH ROOF OVERHANG, BUILDING, CANOPY, SIGNAGE AND LIGHTING.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That permission is hereby granted to The Palace Shops South, LLC, and its successors and assigns, the lessee of certain property located at 301 West 21st Street, to encroach into the right of way of West 21<sup>st</sup> Street, Llewellyn Avenue and a service alley with roof overhang, building, canopy, signage and lighting, as shown on the sketches attached hereto as Exhibit A, subject to the following conditions:

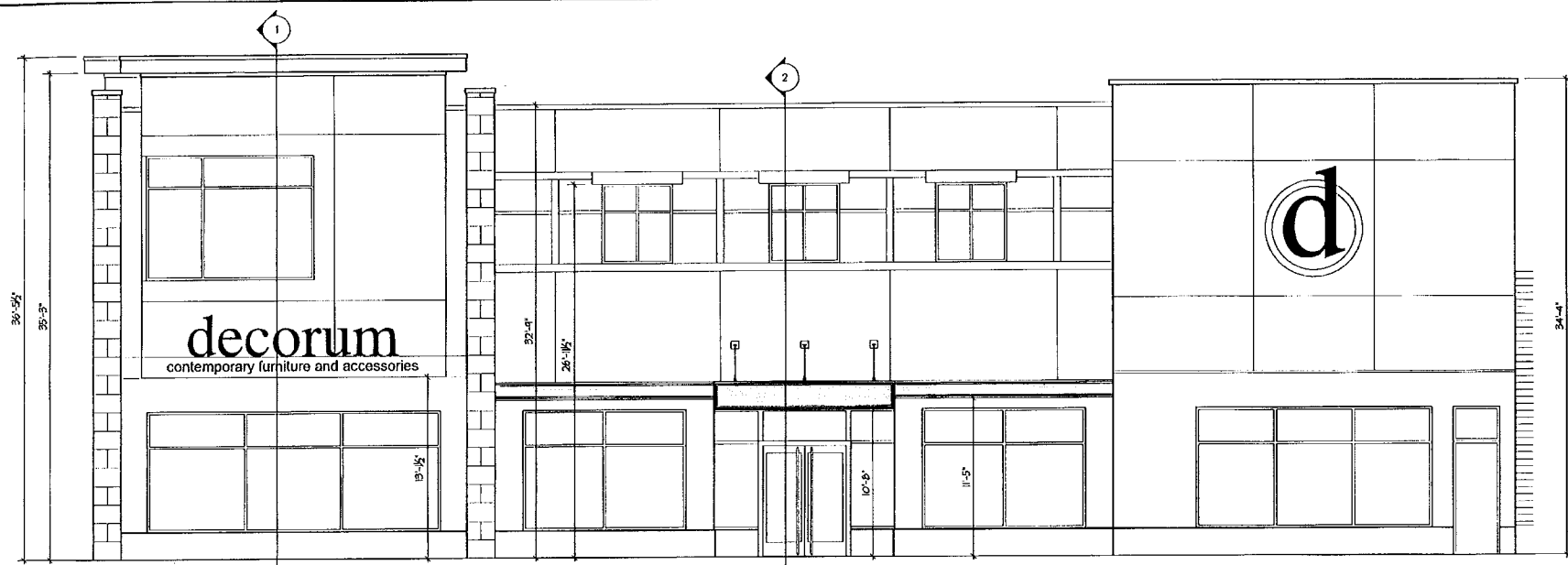
- (1) That this permission is expressly subject to the right of revocation by the Council and that in the event of such revocation The Palace Shops South, LLC, or its successors and assigns, shall immediately remove the encroaching structures.
- (2) That upon the removal of the encroaching structures or any part thereof the authority hereby granted shall cease and terminate.
- (3) That The Palace Shops South, LLC, or its successors and assigns, at its own cost and expense, shall take out and keep in full force and effect public liability insurance in some company authorized to do business in the Commonwealth of Virginia, insuring it and naming the City of Norfolk as an additional insured party in the amount of at least \$1,000,000.00 against liability from any and all claims, actions and suits that may be asserted or brought against the City of

Norfolk and/or The Palace Shops South, LLC, and its successors and assigns, for any injury to or death of any person or persons or for any damage to or destruction of property resulting from the installation, maintenance, or existence of said encroaching structures; that evidence of such insurance shall be filed with the Director of Risk Management of the City of Norfolk.

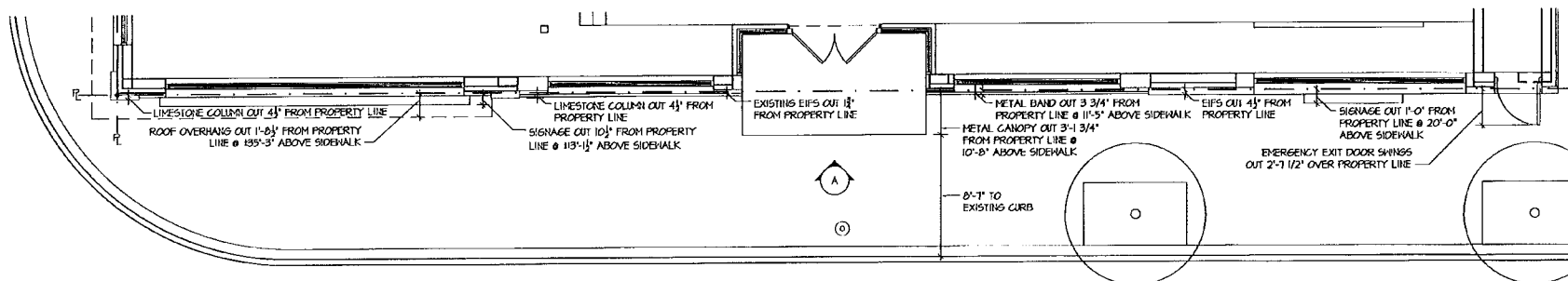
Section 2:- That the failure of The Palace Shops South, LLC, or its successors and assigns, to fully comply with all contingencies set forth herein shall operate as an automatic revocation of the permission granted hereby.

Section 3:- That the use of the said encroaching structures shall be deemed an acceptance by The Palace Shops South, LLC, and its successors and assigns, of all conditions to which the permission herein granted is subject.

Section 4:- That this ordinance shall be in effect from and after its adoption.



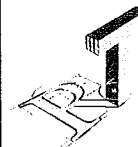
**A** FRONT EXTERIOR ELEVATION (21ST STREET)  
1/8" = 1'-0"



PARTIAL FIRST FLOOR PLAN (21ST STREET)  
1/8" = 1'-0"

DECORUM FURNITURE  
301 W 21ST STREET

ENGROACHMENT DIMENSIONS  
AND LOCATIONS

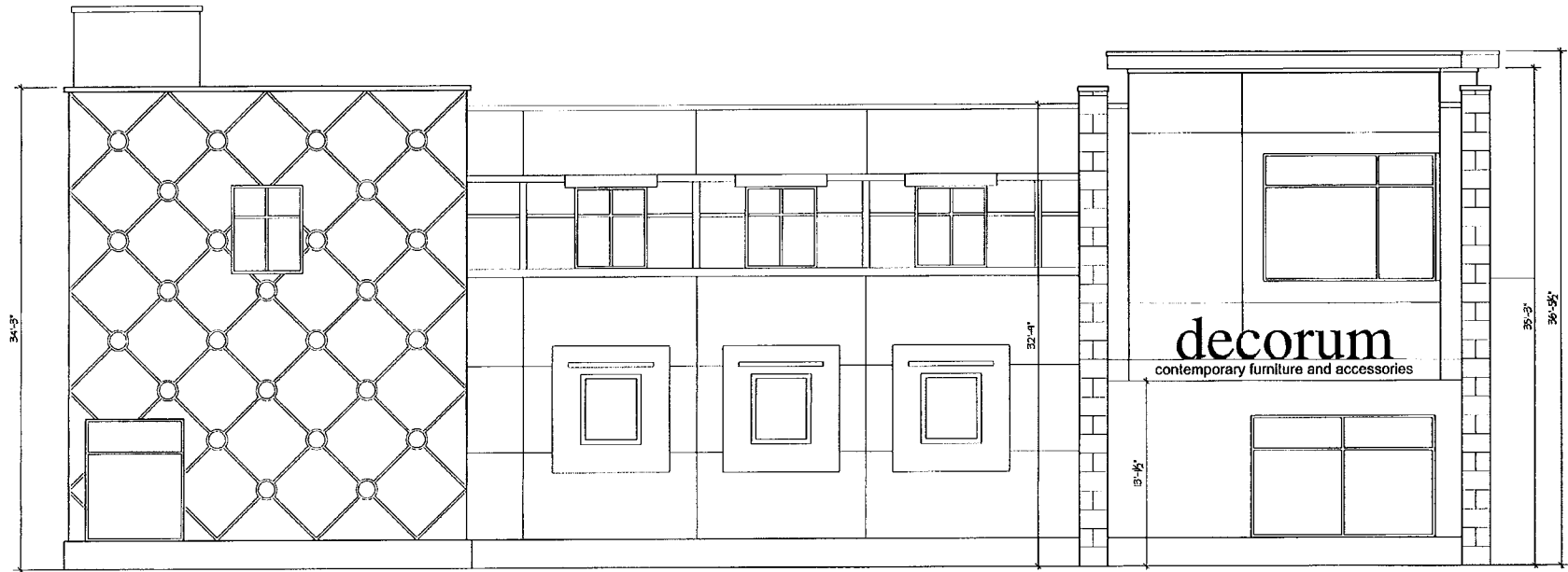


ROBYN THOMAS  
ARCHITECTURE

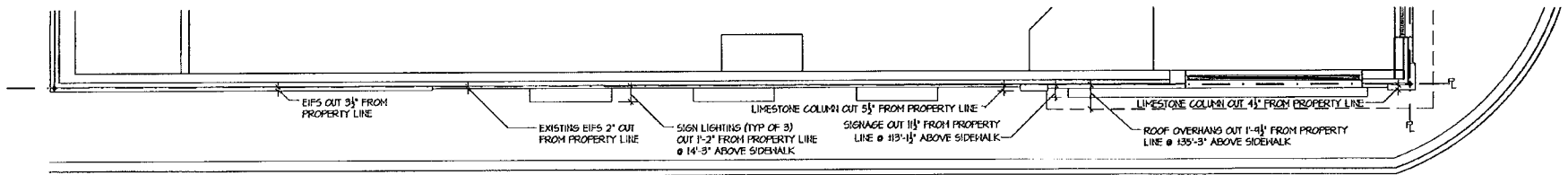
913 W. 21st Street, Suite C  
Norfolk, VA 23517

Ofc: 757.622.7100  
Fax: 757.640.1014





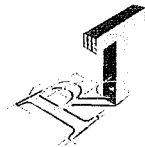
**B** SIDE EXTERIOR ELEVATION (LLEWELLYN)  
1/8" = 1'-0"



**B** PARTIAL FIRST FLOOR PLAN (LLEWELLYN)  
1/8" = 1'-0"

DECORUM FURNITURE  
301 W 21ST STREET

ENCROACHMENT DIMENSIONS  
AND LOCATIONS



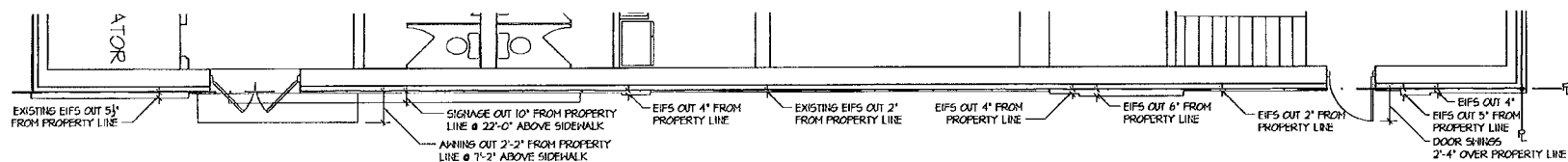
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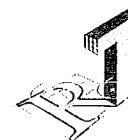
C REAR EXTERIOR ELEVATION (ALLEY)  
1/8" = 1'-0"



PARTIAL FIRST FLOOR PLAN (ALLEY)  
1/8" = 1'-0"

DECORUM FURNITURE  
301 W 21ST STREET

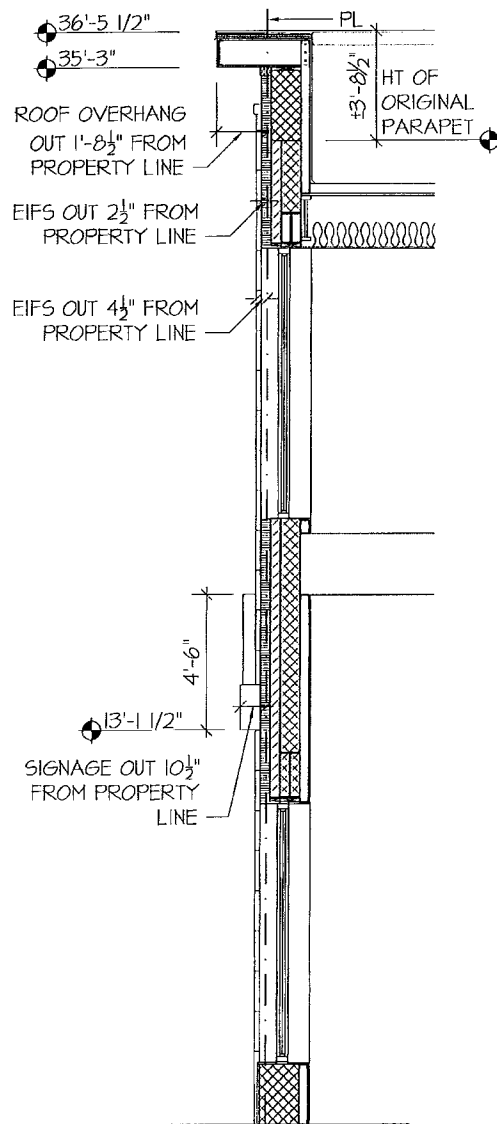
ENCROACHMENT DIMENSIONS  
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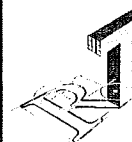
1 SECTION  
 1/4" = 1'-0"



PARTIAL FRONT EXTERIOR ELEVATION  
 1/4" = 1'-0"

DECORUM FURNITURE  
 301 W 21ST STREET

ENCROACHMENT DIMENSIONS  
 AND LOCATIONS

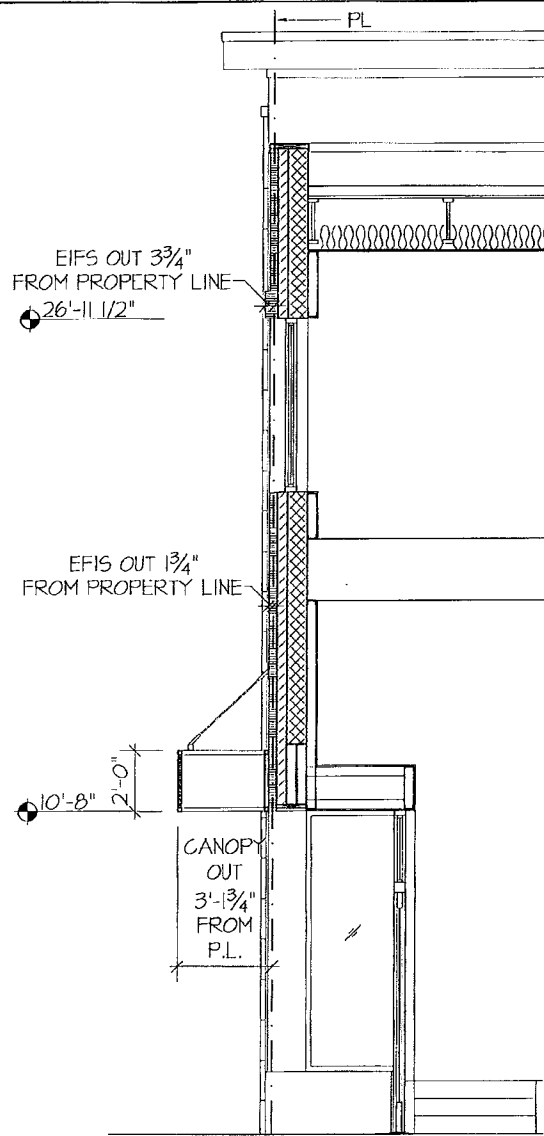


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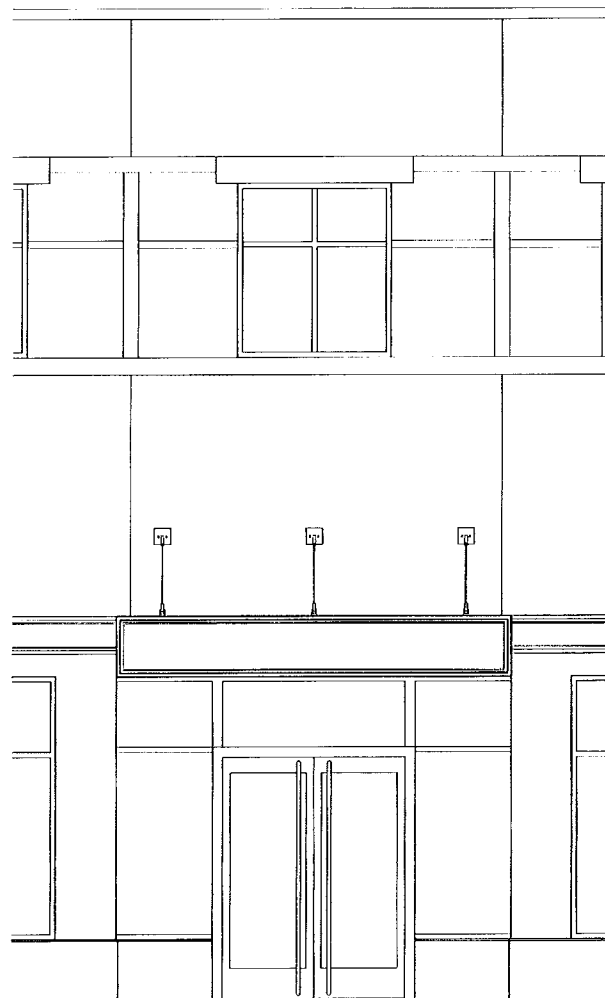
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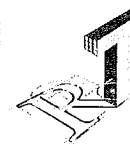
2 SECTION  
1/4" = 1'-0"



PARTIAL FRONT EXTERIOR ELEVATION  
1/4" = 1'-0"

DECORUM FURNITURE  
301 W 21ST STREET

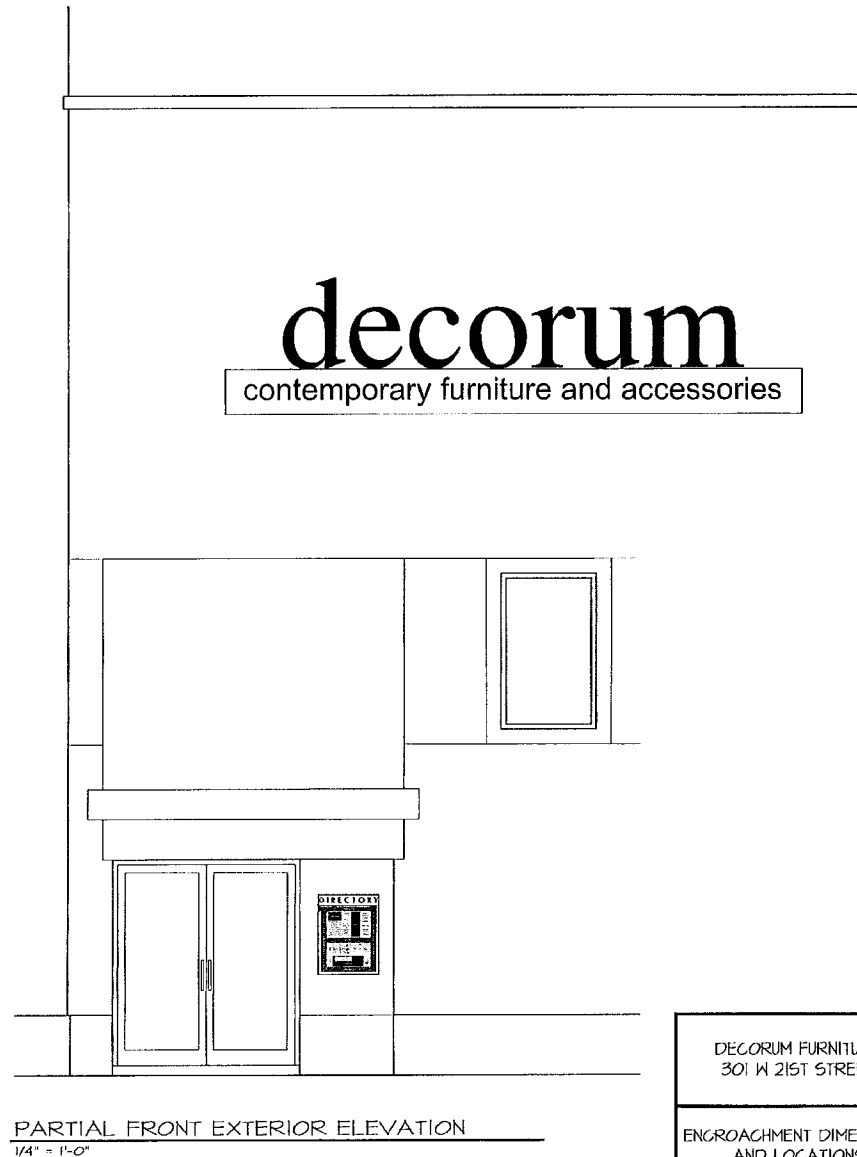
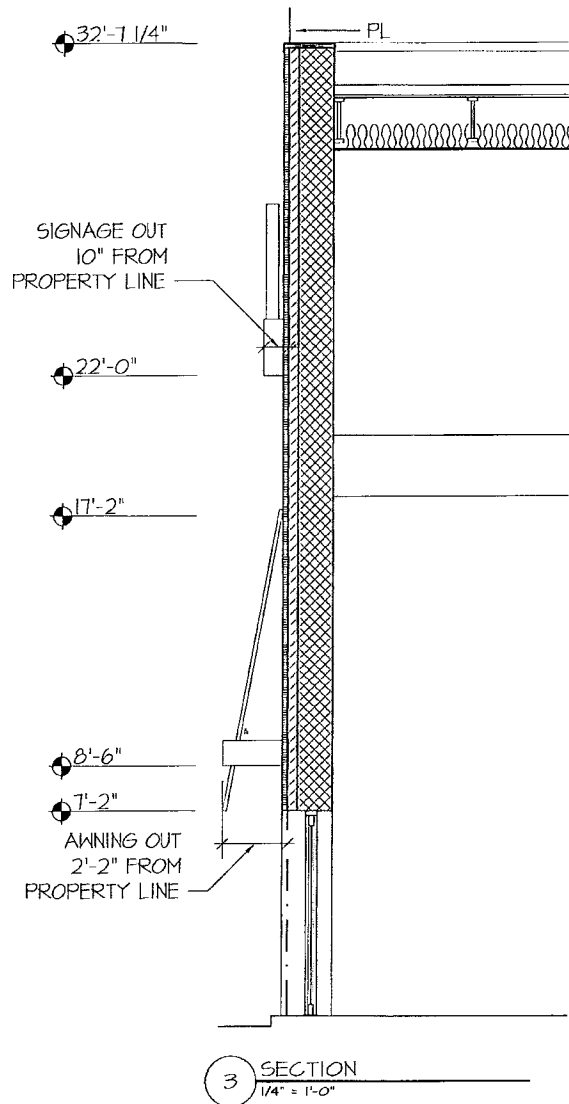
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<p>DECORUM FURNITURE 301 W 21ST STREET</p>	<p>ROBYN THOMAS <b>ARCHITECTURE</b></p>
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